

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EDGE CAPTURE L.L.C. and EDGE
SPECIALISTS, L.L.C.,

Plaintiffs,

v.

BARCLAYS BANK PLC, BARCLAYS
CAPITAL INC., UBS AG, UBS
FINANCIAL SERVICES, INC., UBS
SECURITIES L.L.C., WOLVERINE
TRADING, L.L.C., AND WOLVERINE
EXECUTION SERVICES, L.L.C.,

Defendants.

Civil Action No. 09-CV-1521

Judge Charles R. Norgle, Sr.

Magistrate Judge Denlow

JURY TRIAL DEMANDED

**DECLARATION OF GLENNA L. GILBERT IN SUPPORT OF PLAINTIFFS' REPLY
MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' MOTION TO DISMISS
DEFENDANT WOLVERINE'S STATE LAW AND INEQUITABLE CONDUCT
COUNTERCLAIMS AND AFFIRMATIVE DEFENSES**

I, Glenna L. Gilbert, declare as follows:

1. I am an attorney with the law firm of Robins, Kaplan, Miller & Ciresi L.L.P., counsel of record for Plaintiffs Edge Capture L.L.C. and Edge Specialists, L.L.C. ("Edge") in this action. I am admitted to practice before this Court.

2. I have personal knowledge of the facts stated herein, and if called upon to testify thereon as a witness, would do so.

3. Attached hereto as Exhibit 1 is a true and correct copy of *That's Entm't of Ill., Inc. v. Centel Videopath, Inc.*, 1993 U.S. Dist. LEXIS 19488 (N.D. Ill. Dec. 9, 1993).

4. Attached hereto as Exhibit 2 is a true and correct copy of *Therasense, Inc. v. Becton, Dickinson & Co.*, 2011 U.S. App. LEXIS 10590 (Fed. Cir. May 25, 2011).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: June 8, 2011

/s/ Glenna L. Gilbert

Glenna L. Gilbert